

## Anticlericalism and the Early Tudor Parliament\*

P.R. CAVILL

Pembroke College, Cambridge

This essay reconsiders one aspect of Christopher Haigh's influential article 'Anticlericalism and the English Reformation'. The article argued that anticlericalism in early 16th-century England had been exaggerated, mislabelled and (in effect) invented as a scholarly construct. Dr Haigh proceeded to dismantle the foundations of anticlericalism in literature, in litigation, and in legislation. Evidence of anticlericalism in parliament, he maintained, was discontinuous, opportunistic and unrepresentative. This essay suggests, however, that Haigh's claim makes insufficient allowance for the scarcity of the sources, underestimates the degree of continuity before and after 1529, and fails to take into account the inherently public character of parliamentary petitioning. It proposes instead that the challenging of the Church's wealth, the criticizing of clerical abuses, and the questioning of ecclesiastical jurisdiction recurred in early Tudor parliaments, and that the significance of such thwarted attempts at legislative reform crossed sessions and became cumulative.

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In 1983 Christopher Haigh presented a compelling assault on the established narrative of the Reformation.<sup>1</sup> A revisionist *tour de force*, 'Anticlericalism and the English Reformation' denied that widespread resentment of the Church and the clergy in the early 16th century played any part in this religious revolution. Existing accounts, Dr Haigh argued, had lumped

together indiscriminately a mass of different sources: denunciations of clerical excess in literature, criticisms of the church courts, and legislation by the Reformation Parliament. By disaggregating and depreciating this material, Haigh sought to abolish the concept of anticlericalism – at least before the break with Rome, for in a startling inversion he concluded that anticlericalism, rather than being a cause of the Reformation, was a consequence. His argument, however, was based on a questionable assumption: that if anticlericalism did not cause the Reformation, then the concept played no part in explaining the process of religious change. While accepting Haigh's first contention, subsequent contributors have rehabilitated anticlericalism as a catch-all label for a set of attitudes, behaviours, and discourses.<sup>2</sup> Peter Marshall has explained anticlericalism as the reaction to the unstable clerical compound of exalted station and mundane fallibility.<sup>3</sup> Ethan Shagan has suggested how from the 1530s government policy and the evangelical message energised this latent and reactive, broad if not deeply held, sensibility. The case for post-Reformation anticlericalism, Professor Shagan added, is open to the same evidential objection that Haigh had brought for the earlier period.<sup>4</sup> George Bernard, while accepting that anticlericalism 'in no way made the reformation inevitable', has insisted that 'nonetheless it was important'.<sup>5</sup>

This essay therefore starts from the premise that anticlericalism was neither a cause nor a consequence of the Reformation, but a catalyst. While other analyses have ranged broadly over the subject, drawing on a range of sources, this essay is concerned only with one, hitherto neglected, dimension of Haigh's case: the role of parliament. Haigh made two criticisms of the legislative evidence for anticlericalism. First, he advanced a 'political' account of the Reformation Parliament.<sup>6</sup> The laws of 1529 concerning mortuaries, pluralism and probate and the manoeuvrings of 1532 around the 'Supplication against the Ordinaries' did not voice widely felt grievances. Rather, he maintained, these complaints originated with the crown's attempts to pressurise the Church into granting the king's divorce, and they drew

support from a narrow range of special interests – especially common lawyers and Londoners – that were, however, over-represented in the Commons.<sup>7</sup> Haigh's second point followed naturally from his belief that the anticlericalism of the Reformation Parliament was contingent, opportunistic and unrepresentative. In the absence of royal sponsorship, criticism of the Church in earlier parliaments was, he claimed, rare, transient and hardly deserving of the importance it had been accorded. A fuss had been made in the contentious parliament of 1515 over the statutory restriction of benefit of clergy and over the death in the Church's custody of the London citizen Richard Hunne, but both issues soon petered out.<sup>8</sup> Because 'agitation about spiritual jurisdiction died down after 1515', the Reformation Parliament was thus not the crescendo of a growing chorus of lay criticism. Discontinuity marked the parliament of 1523, which, 'despite its struggle with Wolsey over taxation, had nothing to say about the Church'.<sup>9</sup>

The simple fact that only one parliament met between 1515 and 1529 helps to make the case against 'a rising tide of lay discontent', but it also suggests considering alternative means by which such sentiment could be expressed (as Haigh and others have) and studying parliament over a longer timescale (as is attempted here).<sup>10</sup> Because they lacked the royal impetus behind the 1529 session, previous parliaments may better typify lay attitudes to the Church. Although it will draw attention to some little-remarked pieces of evidence, this essay cannot marshal significant archival discoveries about the early Tudor parliament. Instead, it will propose a maximalist, rather than Haigh's minimalist, reading of existing sources, and it will challenge arguments from silence about the spasmodic nature of parliamentary activity. Thus my interpretation rests on looking more searchingly at the evidence and on extending the period under examination.

This reasoning depends on recognizing how little is known about the early Tudor parliament. The parliament rolls recorded the texts of acts but not much else.<sup>11</sup> The single

extant volume of the Lords journals covers only four of the 20 sessions from 1485 to 1523.<sup>12</sup> Only a few draft bills have survived among the governmental archives, and there is rarely proof that they were presented to a parliament.<sup>13</sup> What have not survived are documents comparable to the sequences of drafts, the successive revisions, the legislative memoranda and the unsolicited commonwealth initiatives that passed through Thomas Cromwell's hands in the 1530s.<sup>14</sup> When the limits of the evidence are properly acknowledged, arguments from silence must therefore be qualified.

In particular, Haigh's stark contrast between the parliaments of 1515 and 1523 – the former deeply concerned with church–state relations, the latter not at all – may be questioned. Admittedly, the earlier parliament was dominated by ecclesiastical controversies, the later by Wolsey's huge tax demand. But warfare against Scotland was seriously considered, if not ultimately pursued, in 1515; two taxes were granted, albeit to make up an earlier shortfall.<sup>15</sup> In 1523 taxation did remain uppermost in people's minds across the 17 weeks; as the Commons proved intractable and the cardinal stubborn, the parliament overran through the summer into August. The controversy crowded out other business: even in July no opportunity to pursue private legislation had yet arisen.<sup>16</sup> The chronicler Edward Hall (probably a member of the Commons) sourly contrasted Bishop Tunstall's promise in his opening sermon of reforming laws with the sessions' actual achievements: 'This was the cause of the Parlyament he sayd, but surely of these thinges no worde was spoken in the whole Parlyament, and in effect no good act made except the graunt of a great subsidie were one'.<sup>17</sup> Yet in its immediate aftermath Thomas Cromwell (also an MP) complained wearily that the 1523 parliament had touched on an almost inexhaustible range of possible reforms, however inconclusively.<sup>18</sup>

In contrasting the two parliaments, Haigh therefore made insufficient allowance for the vagaries of the sources. Neither the Lords journals nor the 'original acts' have survived

for the parliament of 1523 as they have for the earlier parliament. Whether the issues that had provoked controversy in 1515 resurfaced eight years later is thus a matter for conjecture.

Might the Hunne case have been raised once more? In 1515 the Commons had attempted to protect Hunne's children from the material loss consequent upon his posthumous conviction for heresy. The Commons may have renewed their petitioning in 1523, for during the fourth week of the parliament the king re-granted Hunne's forfeiture to his surviving daughter and her husband.<sup>19</sup> Haigh's stark contrast between the two parliaments was therefore too sharply drawn.

A similar point could be made when comparing the first session of the Reformation Parliament with previous parliaments. According to Hall, in November 1529 the Commons identified six principal grievances against the Church, which a committee then condensed into three bills: on probate, on mortuaries, and on secular employment, pluralism and absenteeism. Approved by the Commons, these bills were opposed by the lords spiritual but backed by the king; following conferences between representatives of the two Houses, the bills were either redrafted or amended; only when the lords temporal had sided with the lower House were the measures passed.<sup>20</sup> In Hall's version, these three acts remedied the Commons' six articles. Our knowledge of legislative proceedings in the Reformation Parliament, however, is incomplete, especially as the Lords journals have survived for only the sixth session (in spring 1534). Through an analysis of draft bills, modern scholarship has revealed that criticisms of convocation's legislative power, of the ecclesiastical courts, and of the Church's wealth were probably also raised in 1529.<sup>21</sup> Evidently, the full range of anticlerical grievances aired in this first session is unknowable. Haigh's supposed discontinuity – issues that had mattered in earlier parliaments were not raised in 1529 – is unproven.

Reflecting on this first session of 1529, Edward Hall emphasized its unprecedented character: no one had hitherto dared to criticize clerical abuses. ‘These thinges’, he wrote, ‘before this time might in nowise be towched nor yet talked of by no man except he would be made an heritike, or lese al that he had’.<sup>22</sup> Had he been present in 1515, Hall could hardly have asserted that; but the parliament of 1523 was the first assembly in which Hall, who was born in 1496 or 1497, could have sat.<sup>23</sup> Of course, his comment was polemical in purpose and informed by hindsight: for Hall, the clergy’s repressive reaction to legitimate complaint, especially under Wolsey’s iniquitous regime, ended abruptly and conclusively in November 1529 when God opened the king’s eyes, whereupon the Commons at long last could discuss the ‘grefes wherwith the spiritualtie had before tyme greuously oppressed them’.<sup>24</sup> Foremost among these grievances were the issues of probate, mortuary payments, and pluralism that became the subject of new legislation. Haigh also implied that these three issues were first aired in 1529 – not because they reflected long-suppressed grievances, but rather because they ‘arose from Wolsey’s own career and may have been part of a campaign to secure his permanent exclusion from power’.<sup>25</sup> Each issue probably had, however, been debated in an earlier parliament.

In 1529 the Commons’ principal complaint concerning probate was the excessive charges that bishops and their officers demanded, to which the legislative remedy would be the fixing of fees based on the value of testators’ estates.<sup>26</sup> Twenty-five years earlier, on 17 February 1504, London’s court of aldermen decided to draw up a bill ‘for the probate of testaments’.<sup>27</sup> Parliament was in its fourth week when this decision was taken; when the bill was presented and how it fared over the session’s remaining seven weeks are not known. The likelihood is that the city’s efforts were concentrated, unsuccessfully, on opposing two bills judged highly detrimental to the capital’s interests rather more than on promoting this proposal.<sup>28</sup> The entry in the repertory book for 1504 did not state the city’s particular

concern; that this related to fees seems plausible, for in 1529 the Mercers' Company would describe Londoners as 'polled and robbed without reason or conscience by th'ordenarys in probatyng of testamentes'.<sup>29</sup>

The bill of 1504 also addressed the administration of the estates of those who had died intestate and of those whose executors had refused the role. It proposed some regulation of the letters *ad colligendum* that ordinaries issued for the collection of the goods of the deceased; possibly the fees demanded had given rise to complaint, as they would also be restricted by the statute.<sup>30</sup> Letters of administration would feature too on the list that Thomas, Lord Darcy prepared of Wolsey's abuses in his memorandum of July 1529.<sup>31</sup> London's bill also sought to overturn the court's practice of naming a date upon which creditors should stake their claims, whereby those who failed to appear on that day forfeited their rights; as a result, the aldermen complained, the ordinaries 'kepe all the goodes'. This issue did not appear in the act of 1529, so a direct connection between the two bills seems unlikely; but the abuse of probate therefore had been aired in at least one previous session.

Also raised in early Tudor parliaments before being the subject of legislation in 1529 was probably the issue of mortuary payments.<sup>32</sup> The repercussions of the Hunne case provided a plausible – but not the only conceivable – context. Richard Hunne's refusal in March 1511 to give the rector of St Mary Matfelon (Whitechapel) his infant son Stephen's winding sheet began the chain of events that culminated in his suspicious death and posthumous condemnation for heresy in December 1514.<sup>33</sup> There has survived among the governmental archives a corrected draft petition to the Commons that reflected Hunne's grievance, but made no reference to his case or to any other.<sup>34</sup> This petition's preamble complained how parish priests and farmers (i.e. lessees of parochial lands) were suing for mortuary dues. It censured the cruelty, pitilessness and lack of charity of parish priests and their curates in making burial conditional on receiving their dues. The bill therefore proposed

to exempt from mortuary and other death duties children under the age of 14 (such as Stephen Hunne) and also married women, those in religious orders, and anyone having no goods within the parish. Anticipating the possibility that these groups might henceforth be denied burial, the bill obliged priests to receive the bodies of anyone who died in their parish. It also required clergymen to administer the sacraments to the parish's sick, by implication in their own homes. Churchwardens were empowered to enforce these regulations by bringing actions in any royal court of record; breaches were to be punished by a £40 fine, to be divided between the parish church and the crown.

The date and provenance of this bill are both uncertain. No reference to such a measure is found in the extant Lords journals (for 1510, spring 1512, and 1515). The dates proposed in *Letters and Papers* – 1514 or December 1515 – seem to be based on the Hunne case.<sup>35</sup> As the document is damaged, the opening clauses that might have disclosed the petitioners' identity have been lost. That such a bill is now found in the governmental archive need not imply royal initiative: a petition about tithes in Romney Marsh, for instance, originated locally.<sup>36</sup> Although the editors of *Letters and Papers* linked the bill to a complaint from Londoners against other oblations demanded by the city's clerics, this complaint may rather date to the controversy over tithes in the 1530s.<sup>37</sup> The bill is unlikely to have been a preliminary draft of the mortuary act of 1529, for the two texts differed markedly. The act fixed mortuary dues for everyone, whereas the bill was concerned only with those who should pay nothing. The identities of those exempted also differed; here the bill was the better drafted, as it defined childhood by age. Moreover, the act's preamble expressed no concern over unburied bodies, while the requirement that priests minister sacraments to the sick did not appear. Additionally, the act vested the right to sue in the aggrieved party rather than in the churchwardens of the affected parish. Therefore this bill was most likely prepared for an earlier parliament.



The third statute passed in 1529 encompassed four of the six articles formulated in the Commons' committee in three parts: clergymen's worldliness, pluralism and non-residence.<sup>38</sup> While the earlier probate and mortuaries bills had been rewritten during their progress through the two Houses, this later measure – according to Hall – underwent only 'a litle qualifyng'.<sup>39</sup> Its disjointed sequence of clauses nevertheless implies a complex passage.<sup>40</sup> Scholarly attention has focused on two of the act's three parts: the setting of limits to the number of benefices churchmen could hold and the requirement that they be resident in one of those benefices. Although multiple exemptions were thought to have rendered these provisions ineffectual, recently Robert Palmer has shown how in the years after enactment many actions were brought in the royal courts.<sup>41</sup> Professor Palmer has also drawn attention to the act's third and complementary element: restrictions on commercial activity. Taken together, these measures represented, he proposed, a reorientation of 'the English parish from a commercial enterprise into a pastoral institution'.<sup>42</sup>

The principal problem requiring reform, according to Palmer, was the practice by rectors and perpetual vicars of leasing out parishes' glebe lands, other property rights and spiritual dues (including mortuaries) to laymen or other churchmen.<sup>43</sup> At the time, however, as pressing a grievance may have been clergymen farming land themselves, for this practice appeared as the Commons' third article, and its prohibition was given pride of place in the act. Under this statute, clergymen were required to divest themselves of such leases by September 1530, but continued to be able to lease out lands to laymen. Thus it was not so much that the parish lost its commercial dimension, as that the clergy were largely excluded from that aspect of its life. Seventeen years earlier, this same restriction had been proposed in parliament. In March 1512 the Commons had approved a bill stating that 'spiritual persons should not occupy farms of lands and tenements'. Sent to the upper House, the bill was read once by peers and rejected straightaway.<sup>44</sup> Nothing is known of either the measure's origins

or its contents. Conceivably, this bill might even have formed the basis for the discrete measure in the statute of 1529, for that was the only part to contain all elements necessary in an act.<sup>45</sup>

Therefore some aspect of each of the three laws of 1529 had been aired already. When viewed in isolation, this evidence might be dismissed as fragmentary; but because only a fraction of parliamentary business has been preserved, these instances ought to be scaled up. Bills presented in one parliament were sought in the next: for example, decades of lobbying preceded the passing of the first enclosures act in 1490.<sup>46</sup> Corporations demonstrably pursued objectives decade after decade.<sup>47</sup> Where records are not extant, such persistence can only be surmised. A list of bills in 1495 reveals that Newcastle came close to securing an act concerning the River Tyne; how many further attempts were made before the borough secured legislative relief in 1529 are not known.<sup>48</sup> Rejection therefore need not have put an end to such efforts. In his last parliament, Henry VII vetoed a customs bill; undeterred, the bill's proponents tried again in Henry VIII's first parliament.<sup>49</sup> If issues were felt to be important enough to pursue once, then they were likely to reappear in other parliaments. And if, competition for legislative time notwithstanding, some bills were sufficiently appealing to be passed by one House (if not the other), then the likelihood that they would be pursued in subsequent sessions possibly increased.

However often such issues recurred, the grievances raised have been thought unrepresentative. One or possibly two of the three bills that anticipated the statutes of 1529 had originated with the city of London. Thus Haigh treated this legislation as the work of particular interest-groups rather than as the reflection of wider concerns. The distinction between a (common) public interest and a (singular) private interest was a staple of petitionary rhetoric.<sup>50</sup> Yet as a means of analysing law-making, this division misleads because statutes usually reflected the current concerns of specific groups. For instance, in

1467 pyxes had been stolen from many of London's churches; assumed to be heretics, the culprits turned out only to be common criminals.<sup>51</sup> The following year, the Commons complained of a spate of thefts of pyxes and other holy vessels from churches.<sup>52</sup> While this episode could be further evidence of the city's disproportionate influence on law-making, it also illustrates how the public forum transformed the particular into the universal: however local or vested their motivation, proponents of legislation assumed a communal petitionary identity. Peculiar grievances were reformulated as all-embracing reforms: the 1468 bill referred to a nationwide problem rather than the capital's crime wave, for which it proposed a standard punishment. This universalising impulse helped to secure priority in the legislative schedule and also to garner support. As they passed through parliament, bills could thus become genuinely (and not just rhetorically) public and collective.<sup>53</sup>

One issue that apparently did not feature in the early Tudor parliaments but loomed large from 1529 was the confiscation and reallocation of the Church's material wealth. In 1533 Sir Thomas More emphasized this discontinuity. He could think of no precedent for the present murmur around disendowment, except 'onys in the tyme of the famouse prynce kyng Henry y<sup>e</sup> fourth, aboute the tyme of a greate rumble that the heretykes made [Oldcastle's rebellion] ... there was a folysshe byll & a false put into a parleament or twayn'.<sup>54</sup> More's purpose was to discredit such talk by association with outright heresy and open rebellion. In similar terms, Haigh stressed the gulf between the lollard petition of (probably) 1410 and the opening of the Reformation Parliament: 'Disendowment had not been a popular slogan in the meantime, which should remind us that there was no crescendo of heresy and protest from the time of Wycliffe to that of Wolsey.'<sup>55</sup> Margaret Aston, by contrast, saw disendowment as a potent idea for the century between the 1350s and the 1450s.<sup>56</sup> The concept could be traced from the controversy between Archbishop Fitzralph and the friars through the war parliaments of the 1370s via the 'Twelve Conclusions' of 1395 to the petition of 1410. It

remained topical in Henry VI's reign, for Bishop Pecock treated the matter at length, while Kentish protestors in 1452 demanded that priests should own nothing 'save a chair and candlestick to look upon their books'.<sup>57</sup> But interest thereafter, by implication, waned.

This story resumes in the Reformation Parliament, where assaults on clerical wealth culminated in the dissolution of the lesser monasteries in the eighth and final session of 1536.<sup>58</sup> Through an important archival discovery, Richard Hoyle has traced this issue back to the very first session of this parliament.<sup>59</sup> In 1529 a new petition, prefaced by a copy of the lollard petition of 1410, invited the king through parliament to resume some of the Church's temporalities and also to assume (on a trial basis) responsibility for clerical discipline.<sup>60</sup> Professor Hoyle suggests that this petition may have originated within the coalition of nobles that had emerged in opposition to Cardinal Wolsey that summer.<sup>61</sup> He interprets dissolution as a policy pursued 'from above' for the crown's financial gain rather than demanded 'from below' on reformist grounds.<sup>62</sup> The criticism of Wolsey's own monastic dissolutions in parliament and elsewhere substantiates this idea.<sup>63</sup> In the face of such reluctance, the crown – having perhaps floated dissolution in 1529 and in 1534 – then dressed its policy up as a remedy for the supposedly irredeemable failings of the lesser monasteries.<sup>64</sup>

It would be possible, however, to put a different slant on the evidence that Hoyle has assembled. His argument implies that, while dissolving monasteries did not command great support, the principle of redistributing clerical wealth proved more palatable. After all, the Church's possessions were widely interpreted as a conditional lay endowment, which might be resumed if misused.<sup>65</sup> Thus the 1410 text continued to circulate: it was re-presented four years later, distributed during the risings of 1431, disseminated in London in the 1470s, and preserved by the city's chroniclers.<sup>66</sup> In 1516 a detailed summary appeared in print in Fabyan's chronicle, which might explain why Wolsey purportedly had this book burnt for exposing the clergy's excessive wealth.<sup>67</sup> Perhaps the lollard petition's wider appeal lay in its

proposals for the redistribution of clerical resources towards more deserving causes, such as the defence of the realm, the recruitment of new blood to the nobility and gentry, and the erection of more universities.<sup>68</sup> Advocates of disendowment continued to suggest ways in which the crown should deploy this windfall – on a crusade against ‘the greate Turk’, the petition of 1529 thought.<sup>69</sup> The thwarting of such long-cherished aspirations may account for evangelical disenchantment with the dissolutions of 1536 onwards.<sup>70</sup>

Defending his policy that year, Henry VIII appealed not only to present exigency but also to precedent.<sup>71</sup> Had not Edward III dissolved a whole order; had not Henry V confiscated the alien priories; had not the saintly Henry VI, the king’s own grandmother and his leading prelates suppressed houses in order to erect new colleges within the universities?<sup>72</sup> However disingenuous the king’s reasoning appears in the light of the subsequent total dissolution of the monasteries, in its immediate context his case for continuity was not implausible.<sup>73</sup> The earlier royal appropriations and the recycling of ecclesiastical wealth may have helped to maintain the currency of resumption. In endowing his Oxford college, Wolsey told the king in 1525, he had dissolved only ‘certain exile and small monasteries, wherein neither God is served, ne religion kept’.<sup>74</sup> Elements of Wolsey’s more extensive dissolution scheme of 1528–9, such as the erection of new bishoprics, were implemented after the break with Rome, with the avowed intention of improving educational provision and poor relief.<sup>75</sup> The redistribution of clerical wealth was not tainted by association with lollardy in the way that biblical translation had become in the 15th century. Thus 1529 did not simply take up where 1410 had left off: if not a movement, disendowment was more than a moment.<sup>76</sup>

In the case of hospitals and almshouses, it is possible to move beyond the conjectural. Over the 14th and 15th centuries, the balance of resources within these institutions had shifted from provision for the poor and sick towards the payment of clerical stipends supporting the round of spiritual services.<sup>77</sup> Foremost among the critics of this development

were the lollards, who twice petitioned parliament on this subject. The ‘Twelve Conclusions’ of 1395 denounced existing almshouses as the product of the almost-simoniactal practice of selling prayers for individuals, adding that 100 such establishments would have sufficed for the whole realm. By contrast, in 1410 the second petition proposed using the proceeds of disendowment to found 100 new almshouses exclusively in order to support ‘alle the nedefull pore men’.<sup>78</sup> Their origins notwithstanding, these criticisms evidently resonated: in 1414 a petition of the Commons was enacted – remarkably, by the parliament meeting shortly after Oldcastle’s rebellion.<sup>79</sup> This petition explained how the misapplication of hospitals’ goods and profits had undermined the founders’ charitable intentions. The resulting statute therefore commissioned the ordinaries to inquire into the state of royal hospitals and to reform other institutions.<sup>80</sup>

One hundred years later, another petition to parliament raised this same issue.<sup>81</sup> This petition can be securely dated to the two sessions of 1512. According to a contemporary endorsement, the document was presented in the king’s fourth regnal year and hence in the November and December session.<sup>82</sup> The petition, however, is probably also the bill ‘concerning masters and keepers of hospitals and other almshouses’ that had reached the Lords in March 1512 in the king’s third regnal year.<sup>83</sup> The petitioners – ‘[the poor] blynd lame sore miserable and impotent people of this [land that may nott labour]’ – complained how daily they were dying in the streets because hospitals and almshouses had been diverted from their true calling. Not only had self-interested masters and wardens failed to maintain their institutions: they had also converted many into free chapels supporting confraternities, from which the truly deserving were excluded. Some institutions took money for men’s admissions; others recruited men to join these fraternities by promising masses and orisons that, scandalously, were then not said. Therefore every governor should make certification in chancery of his institution’s statutes, income and inhabitants, and then should reform the

institution in accordance with its foundation ordinances. Should no certificate be returned or no reform ensue, then the founders or their heirs were entitled to re-enter the institutions in order to reform them; should the founders or their heirs fail so to do, then the crown would re-enter in their stead.

This proposal, Carole Rawcliffe suggests, may have originated in the civic, courtly and humanist milieux of men such as the royal physician Thomas Linacre.<sup>84</sup> It reflected the way in which religious institutions – competing to provide spiritual services and thereby to secure lay support – were torn between their original purpose at foundation and the pressure of current lay demands, of which the most significant was the provision of masses for the souls of the present generation.<sup>85</sup> Its criticism of the diversion of charitable provision from poor relief towards prayer echoed lollard complaint and anticipated the ‘commonweal’ case of men such as Thomas Starkey for the Henrician dissolution.<sup>86</sup> Although it proposed to employ the patronal relationship in order to enforce institutional reform, the petition (unlike the statute of 1414) vested in the crown the power to intervene, which power would be assumed in the Chantries Act of 1545.<sup>87</sup> Absent from the proposal, however, was any role for the Church. In 1416 the Commons, complaining that the two-year-old statute had not been implemented, had proposed fining ordinaries who failed in their responsibilities; a century later, the ordinaries were bypassed entirely.<sup>88</sup> The 1512 petition therefore suggests a gradual erosion of confidence in the Church’s administrative capacities and reflects the consequent trend towards greater lay control of new religious foundations.<sup>89</sup>

This petition, however, ran up against the legislative independence of the Church. The defects described, the lords spiritual declared, ‘ought to be reformed in convocation’.<sup>90</sup> There is no evidence that any action was taken by convocation; masters of those hospitals represented in its lower house presumably would, if present, have opposed such a measure.<sup>91</sup> This rebuff raises the constitutional issue that became prominent in the ‘Supplication against

the Ordinaries' in 1532: the relationship between two assemblies that both sought through legislation to reform the ecclesiastical estate. Defending themselves against the charge of meddling with secular matters, the bishops reasoned in December 1515 that it was 'as laful to them in the Conuocation howse to common and treate of thinges concernyng bothe laye men and also the lawes of the land ... as it is for them of the parliament to common or treate of any causys sownyng ayenst the clergy and the lawes of the churche'.<sup>92</sup> Therefore assessments of anticlericalism in the early Tudor parliament should consider relations with convocation.

In institutional as well as in jurisdictional terms, convocation and parliament were entwined. Their many structural resemblances – joint summonses, bicameral nature, the speakership and members' privileges – served as a reminder that in the early 14th century the two assemblies had met as one body.<sup>93</sup> Parliament and the convocation of Canterbury often convened at the same time at other ends of the same city (at Westminster and St Paul's Cathedral).<sup>94</sup> While John Tayler's dual role in 1515 as clerk of parliament and speaker of the lower house of convocation was remarkable, others served in both assemblies as a matter of course.<sup>95</sup> The Lords adjourned 20 times in 1510, spring 1512, and 1515 because spiritual members were attending convocation.<sup>96</sup> Given this overlap in personnel, the timing of sessions, and the proximity of meetings, the transactions of one assembly were likely to influence the other. Indeed, Polydore Vergil drew attention to the co-ordination of the parliament of 1523 with the concurrent legatine synod and southern convocation (of which he was a member).<sup>97</sup>

As Vergil's account reveals, grants of clerical and lay taxation were interdependent.<sup>98</sup> While the two convocations offered supply independently, royal officers presented the crown's demands to parliament and to the southern convocation simultaneously, and the resultant grants took similar forms.<sup>99</sup> In 1523 the crown through parliament dictated the terms



of the Church's grants. In an ostensible concession, the parliamentary subsidy authorised the two convocations to assess clerical wealth (essentially temporalities acquired after 1291) on which lay taxes were normally paid.<sup>100</sup> This delegation was made conditional, however, on the clergy's grant exceeding the value of the lay assessment.<sup>101</sup> As a result, the exemptions allowed by parliament were also to apply to any grants made by the convocations.<sup>102</sup>

Moreover, as the crown presented its requirement as a global sum, the proportion to be borne by the clergy could become a subject of dispute. Parliaments limited the exemption of religious communities in order not to overburden 'the pore Comen people of this Realme'.<sup>103</sup> In 1489 MPs had proposed that the Church should pay two-thirds of the total figure requested; in the end, however, it contributed only a quarter.<sup>104</sup> Apportioning the tax burden may thus have kept alive the issue of the Church's wealth. The imposition in 1534 of regular and permanent royal taxation of benefices (first fruits and tenths) may have made laymen more sympathetic towards clerical complaints about excessive taxation than they had previously been.<sup>105</sup>

In other controversial areas, the two assemblies interacted. In November 1509 – a fortnight after the parliamentary writs had gone out – Archbishop Warham took the unusual step of summoning the southern province on his own authority without the usual royal mandate.<sup>106</sup> The reason given was the defence of the liberties of the Church. Prelates may have hoped to include the reassertion of ecclesiastical rights in the parliamentary reaction against Henry VII's 'unconstitutional' rule.<sup>107</sup> Thus, when parliament assembled in January 1510, the first bill read in the Lords concerned these liberties.<sup>108</sup> The upper House unanimously approved this measure and sent it to the Commons; the revised bill that the lower House returned appears to have been so unacceptable to the Lords that it was set aside.<sup>109</sup> Would-be legislators needed to frame bills that respected ecclesiastical and secular liberties in areas (such as usury) where jurisdictions overlapped.<sup>110</sup> For example, the bill of

1468 against thefts from churches had proposed an especially ingenious solution: such robbers would be burnt, not as heretics but as traitors, which was apparently acceptable to spiritual lords (perhaps because the canon law of heresy was untouched), but not to the king, who vetoed the measure.<sup>111</sup>

Even where a final bill was couched in terms suitably respectful of ecclesiastical independence, such self-restraint need not have applied to the preceding debate. What might, for instance, have been said in the first Tudor parliament during the reading of a bill for the ‘reformation of Preestis Clerkys and religious men culpable or by their demerites openly noised of incontinent lyvyng’?<sup>112</sup> As the bishops protested in 1515, ‘at sundry tymes diuers of the parliament speketh diuers and many thinges not only ayenst men of the churche and ayenst the lawes of the churche but also somtyme ayenst the kinges lawes’.<sup>113</sup> Disclaiming any desire to punish any parliamentarian so offending, the bishops argued that words spoken in convocation ought likewise to be privileged: thus they were not guilty of *praemunire*.<sup>114</sup> This protestation related to the controversy over benefit of clergy, from which the bishops (temporarily, as it turned out) emerged victorious in this parliament.<sup>115</sup> When the jurisdictional overlap between convocation and parliament is acknowledged, however, the statement may apply to the early Tudor assemblies in general.

The rejection of reform on the grounds that it lay outside parliament’s competence provided one proof for Simon Fish of the Church’s overweening influence. His *Supplication of Beggars* drew on the same convention of complaint literature as had the hospitals bill of 1512 and the lollard petition of 1410, one in which the excessive poverty of the speakers amplified the greed of their (often clerical) oppressors.<sup>116</sup> This evangelical polemic of late 1528 or early 1529 presented ecclesiastical power and wealth as a threat to royal authority: the Church became a corporate ‘overmighty subject’. Fish showed the king to be powerless to legislate against the litany of clerical abuses, for churchmen were ‘stronger in your owne

parliament house then your silfe'.<sup>117</sup> Shortly before the new parliament assembled, Sir Thomas More responded.<sup>118</sup> Principally a defence of purgatory, his *Supplication of Souls* also refuted Fish's weighing of lay and clerical forces in the two Houses.<sup>119</sup> In the Lords, More objected, the king himself was pre-eminent, and might summon new peers if he wished to rebalance the composition of the House. Spiritual lords did not get their way in defiance of the wishes of temporal lords, even where the laws of the Church and of other countries (the *ius commune*) supported their position. Thus in the statute of Merton lay lords had refused to permit the legitimation of children born before their parents' marriage.<sup>120</sup>

The lower House, Fish had claimed, was packed with lawyers, who were all (except the king's counsel) retained by the clergy. More set the record straight: many lawyers were not MPs, and the king's counsel was not present in the Commons (but rather, he left implicit, attendant upon the Lords). It was, however, More's own prior experience in the lower House that belied Fish's essential claim:

And surely yf he had bene in the comen house as some of vs haue bene: he shuld haue sene the spyrytualte nat gladly spoken for. And we lytell dout but that ye remember actes and statutes passyd at sondry parlyamentes / suche and in such wyse & some of them so late / as your self may se that eyther y<sup>e</sup> clergy ys not the strenger parte in the kynges parlyement / or elles haue no mynd to stryue.<sup>121</sup>

Through their vigorous and effective criticism of the Church, previous parliaments thus contradicted the idea that the clergy dominated proceedings. A little later, another anticlerical treatise, assuming prematurely that the clergy (with More's assistance) had defeated the *Supplication of Beggars*, repeated Fish's charge: 'in the parlament / The chefe of the clergie

are resident / In a maruelous great multitude. / Whos fearce displeasure is so terrible / That I iudge it were not possible / Any cause against them to conclude'.<sup>122</sup>

As the Reformation Parliament progressed, this contention became increasingly difficult to sustain. The revolutionary character of that parliament was apparent at the time and remains obvious now. Nevertheless this essay has sought to suggest why the unprecedented nature of the Reformation Parliament, especially in its early sessions, has been overstated. First, contemporaries exaggerated for partisan effect: critics of the status quo hailed a royal epiphany, while defenders decried a heretical catastrophe. Specifically, the claim that a torrent of pent-up anticlerical feeling was loosed may have its roots in the polemic magnifying the repressive effect of ecclesiastical law, especially concerning heresy. Second, this apparent discontinuity must be, in part, the optical distortion of fragmentary sources. Therefore Haigh's positivist reasoning necessarily underestimates the incidence and strength of anticlerical feeling in parliament. At the risk of erring in the opposite direction – of over-interpreting, rather than under-interpreting, the surviving sources – the following reconstruction is proposed.

Lay belief that church reform needed to transcend clerical self-interest balanced historic respect for ecclesiastical independence. As the representative assembly of the whole realm, parliament was a natural venue in which to pursue so important an objective. There, clerical shortcomings were criticized and legislative solutions advanced. Attempts at reform acquired a cumulative significance when they ran up against the apparent intransigence of churchmen: 'ye wyll nat ioyne with the temporall men in counsels and parlyamentes as ye were wonte to do / but ye kepe your conuocacyons and counsels by your selves', complained an imaginary MP to his counterpart.<sup>123</sup> Because they were invoked to defend practices that undermined the commonweal, the Church's liberties themselves could become the subject of debate. Thus the questioning of religious privileges, ecclesiastical jurisdiction, and clerical

abuses was not uncommon in early Tudor parliaments. Christopher St German's blueprint of 1531 for the legislative reform of the Church by parliament gave coherence to these views.<sup>124</sup>

This reconstruction does not compare the strength of anticlerical feeling in the late 15th and early 16th centuries with other periods, as Haigh's article did. In a recent revision of his views, Haigh has proposed that 'anticlericalism was a constant, and that what varied was clerical sensitivity to criticism'; this, he maintained, was particularly acute among the self-important graduate ministry of the Elizabethan Church.<sup>125</sup> Yet, instead of seeing anticlericalism as fixed and clerical attitudes as fluctuating, we might rather conceive of *interdependent* variables. The Reformation's humbling of the clergy and Protestantism's redefining of their role as more didactic than sacramental surely altered lay views and thereby helped to induce the status-conscious anxiety of Elizabethan churchmen. Similarly, in the Henrician period the episcopate's policy of repression and reform Haigh himself described as a response to 'what they saw as a hydra-headed lay challenge'.<sup>126</sup> Such clerical apprehensions, this essay suggests, were well founded, better perhaps than Haigh's slightly sceptical tone implies. Challenges to ecclesiastical jurisdiction, both by the crown (as part of the reassertion of its supremacy) and by its subjects (possibly encouraged by the royal example), seem to distinguish the early Tudor years. If so, then the equipoise between religious and secular authority may have been a casualty of the 'new monarchy'.

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<sup>1</sup> Christopher Haigh, 'Anticlericalism and the English Reformation', *History*, lxxviii (1983), 391–407, reprinted in *The English Reformation Revised*, ed. Christopher Haigh (Cambridge, 1987), 56–74, to which subsequent citations refer.

<sup>2</sup> Peter Marshall, 'Anticlericalism Revested? Expressions of Discontent in Early Tudor England', in *The Parish in Late Medieval England*, ed. Clive Burgess and Eamon Duffy (Donington, 2006), 365–80.

<sup>3</sup> Peter Marshall, *The Catholic Priesthood and the English Reformation* (Oxford, 1994), esp. ch. 8.

<sup>4</sup> E.H. Shagan, *Popular Politics and the English Reformation* (Cambridge, 2003), ch. 4.

<sup>5</sup> G.W. Bernard, *The Late Medieval English Church: Vitality and Vulnerability before the Break with Rome* (New Haven, 2012), 152.

<sup>6</sup> Haigh, 'Anticlericalism', 60–6.

<sup>7</sup> Broadly supportive of this interpretation is Richard Rex, 'Jasper Fyloll and the Enormities of the Clergy: Two Tracts Written during the Reformation Parliament', *Sixteenth Century Journal*, xxxi (2000), 1043–62. Dr Rex places these tracts in their 'immediate political context' as attempts by the crown to 'manipulate' public opinion (1046).

<sup>8</sup> This episode is recounted in Christopher Haigh, *English Reformations: Religion, Politics, and Society under the Tudors* (Oxford, 1993), ch. 4.

<sup>9</sup> Haigh, 'Anticlericalism', 56–7.

<sup>10</sup> Haigh, 'Anticlericalism', 56.

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<sup>11</sup> G.R. Elton, 'The Rolls of Parliament, 1449–1547', in *Studies in Tudor and Stuart Politics and Government* (4 vols, Cambridge, 1974–92), iii, 110–42.

<sup>12</sup> M.F. Bond, *Guide to the Records of Parliament* (1971), 30–1.

<sup>13</sup> E.g. *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII* [hereafter *LP*], ed. J.S. Brewer, James Gairdner and R.H. Brodie (21 vols in 36 pts with addenda, 1862–1932), i/2, nos 3599–3600; John Guy, 'Wolsey and the Parliament of 1523', in *Law and Government under the Tudors*, ed. Claire Cross, David Loades and J.J. Scarisbrick (Cambridge, 1988), 10–12.

<sup>14</sup> These sources underpinned much of Sir Geoffrey Elton's work: e.g. *Studies*, ii, chs 23–6; *Reform and Renewal: Thomas Cromwell and the Common Weal* (Cambridge, 1973).

<sup>15</sup> *LJ*, i, 21b; *Calendar of the State Papers Venetian*, ii: 1509–1519, ed. Rawdon Brown (1867), 241, 270; Sebastian Giustinian, *Four Years at the Court of Henry VIII*, ed. Rawdon Brown (2 vols, 1854), i, 142; 6 Hen. VIII, c. 26; 7 Hen. VIII, c. 9.

<sup>16</sup> TNA, SP1/28, f. 105 (*LP*, iii/2, no. 3164).

<sup>17</sup> Edward Hall, *Chronicle*, ed. Sir Henry Ellis (1809), 652.

<sup>18</sup> *Life and Letters of Thomas Cromwell*, ed. R.B. Merriman (2 vols, Oxford, 1902), i, 313–14.

<sup>19</sup> P.R. Cavill, 'Heresy, Law and the State: Forfeiture in Late Medieval and Early Modern England', *EHR*, cxxix (2014), 284–8.

<sup>20</sup> Hall, *Chronicle*, 765–7.

<sup>21</sup> S.E. Lehmberg, *The Reformation Parliament, 1529–1536* (Cambridge, 1970), 83–6. For the third aspect, see the discussion of disendowment below.

<sup>22</sup> Hall, *Chronicle*, 765.

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<sup>23</sup> *The History of Parliament: The House of Commons, 1509–1558*, ed. S.T. Bindoff (3 vols, 1982), ii, 279–82.

<sup>24</sup> Hall, *Chronicle*, 765.

<sup>25</sup> Haigh, ‘Anticlericalism’, 60.

<sup>26</sup> 21 Hen. VIII, c. 5.

<sup>27</sup> Helen Miller, ‘London and Parliament in the Reign of Henry VIII’, *BIHR*, xxxv (1962), 134.

<sup>28</sup> Miller, ‘London’, 132–4.

<sup>29</sup> Miller, ‘London’, 144.

<sup>30</sup> 21 Hen. VIII, c. 5, s. 2.

<sup>31</sup> *LP*, iv/3, no. 5749, p. 2554.

<sup>32</sup> 21 Hen. VIII, c. 6.

<sup>33</sup> Susan Brigden, *London and the Reformation* (Oxford, 1989), 98–103.

<sup>34</sup> TNA, SP1/12, f. 20.

<sup>35</sup> *LP*, i/2, no. 3602; ii/1, no. 1315.

<sup>36</sup> TNA, E175/6/21; Lehmborg, *Reformation Parliament*, 189 n. 5; *HPC*, 1509–58, i, 258–9.

<sup>37</sup> *LP*, i/2, no. 3602. The complaint had been included in the first edition (1862), but could no longer be found in the Public Record Office when the second edition (1920) was compiled. A copy has been credibly identified: Brigden, *London*, 50–1, citing Lambeth Palace Library, CM viii/2d (which is bound as CM viii/1–3, ff. 64–72). This is a 17th-century transcript of a schedule annexed to a replication in a chancery case between three London parishes and their parsons in 1533. The schedule and accompanying documents do not suggest that the complaint was other than contemporaneous with the chancery proceedings. The original bill, without the schedule and other documents, is TNA, C1/754/8.



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<sup>38</sup> 21 Hen. VIII, c. 13.

<sup>39</sup> Hall, *Chronicle*, 767.

<sup>40</sup> A subsidiary complaint in the third of the Commons' articles – priests serving as stewards, surveyors, and other secular officers – did not feature in the act. The fourth article – spiritual men running tanning houses and selling merchandise – was separated in the act (ss. 5, 21). The number of chaplains allowed to archbishops and bishops was evidently revised (ss. 11, 13). The act's final proviso carried its own internal saving clause (s. 24).

<sup>41</sup> R.C. Palmer, *Selling the Church: The English Parish in Law, Commerce, and Religion, 1350–1550* (Chapel Hill, 2002), 144–8, 173–208.

<sup>42</sup> Palmer, *Selling the Church*, 1.

<sup>43</sup> Palmer, *Selling the Church*, chs 2, 4.

<sup>44</sup> *LJ*, i, 14b–15a.

<sup>45</sup> 21 Hen. VIII, c. 13, s. 1.

<sup>46</sup> John Rous, *Historia Regum Angliae*, ed. Thomas Hearne (2nd edn, Oxford, 1745), 120–1; 4 Hen. VII, c. 19.

<sup>47</sup> P.R. Cavill, *The English Parliaments of Henry VII, 1485–1504* (Oxford, 2009), 157.

<sup>48</sup> *The Parliament Rolls of Medieval England, 1275–1504* [hereafter *PROME*], ed. Chris Given-Wilson *et al.* (16 vols, Woodbridge, 2005), xvi, 279; 21 Hen. VIII, c. 18.

<sup>49</sup> Cavill, *English Parliaments*, 58.

<sup>50</sup> *PROME*, xvi, 91, 96–7, 132–3.

<sup>51</sup> *The Historical Collections of a Citizen of London in the Fifteenth Century*, ed. James Gairdner (Camden Society, new ser., xvii, 1876), 234–5.

<sup>52</sup> TNA, C49/36/4; *PROME*, xiii, 383–4.

<sup>53</sup> Cavill, *English Parliaments*, 156, 161–72.

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<sup>54</sup> St Thomas More, *The Apology*, ed. J.B. Trapp (Complete Works, ix, 1979), 84.

<sup>55</sup> Christopher Haigh, 'The English Reformation: A Premature Birth, A Difficult Labour and a Sickly Child', *HJ*, xxxiii (1990), 452.

<sup>56</sup> Margaret Aston, '"Caim's Castles": Poverty, Politics, and Disendowment', in *The Church, Politics and Patronage in the Fifteenth Century*, ed. Barrie Dobson (Gloucester, 1984), 45–81.

<sup>57</sup> Roger Virgoe, 'Some Ancient Indictments in the King's Bench referring to Kent, 1450–1452', in *Documents Illustrative of Medieval Kentish Society*, ed. F.R.H. Du Boulay (Kent Records, xviii, 1964), 258. The protestors alluded to 2 Kings 4: 10.

<sup>58</sup> 27 Hen. VIII, c. 28.

<sup>59</sup> R.W. Hoyle, 'The Origins of the Dissolution of the Monasteries', *HJ*, xxxviii (1995), 275–305.

<sup>60</sup> Hoyle, 'Origins', 301–5.

<sup>61</sup> Hoyle, 'Origins', 287–9.

<sup>62</sup> Cf. Rex, 'Jasper Fyloll', 1058–9.

<sup>63</sup> *LP*, iv/3, nos 5749, 6075; Greg Walker, 'Cardinal Wolsey and the Satirists: The Case of *Godly Queen Hester* Re-opened', in *Cardinal Wolsey: Church, State and Art*, ed. S.J. Gunn and P.G. Lindley (Cambridge, 1991), 239–60.

<sup>64</sup> Hoyle, 'Origins', 289, 293–4, 297.

<sup>65</sup> Benjamin Thompson, '*Habendum et Tenendum*: Lay and Ecclesiastical Attitudes to the Property of the Church', in *Religious Belief and Ecclesiastical Careers in Late Medieval England*, ed. Christopher Harper-Bill (Woodbridge, 1991), 197–238.

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<sup>66</sup> St Thomas More, *Letter to Bugenhagen, Supplication of Souls, Letter against Frith*, ed. Frank Manley *et al.* (Complete Works, vii, 1990), 143–4, 346–8; Wendy Scase, *Literature and Complaint in England, 1272–1553* (Oxford, 2007), 148.

<sup>67</sup> Robert Fabyan, *The New Chronicles of England and France*, ed. Henry Ellis (1811), pp. xviii, 575–6; John Bale, *Index Britanniae Scriptorum*, ed. R.L. Poole and Mary Bateson (Oxford, 1902), 370–1.

<sup>68</sup> *Selections from English Wycliffite Writings*, ed. Anne Hudson (Cambridge, 1978), 135–7.

<sup>69</sup> Hoyle, ‘Origins’, 303.

<sup>70</sup> Alec Ryrie, *The Gospel and Henry VIII: Evangelicals in the Early English Reformation* (Cambridge, 2003), 155, 161–5, 216.

<sup>71</sup> *Answers made by the Kynges Hyghnes to the Petitions of the Rebelles in Yorkeshire* (1536), sigs A2v–A3.

<sup>72</sup> The reference to Edward III may be an approximate allusion to the Templars (a suggestion I owe to Martin Heale): cf. John Wyclif, *Tractatus de Ecclesia*, ed. Johann Loserth (1886), 331–2.

<sup>73</sup> G.W. Bernard, ‘The Dissolution of the Monasteries’, *History*, xcvi (2011), 390–409.

<sup>74</sup> *State Papers: King Henry VIII* (11 vols, 1830–52), i, 154.

<sup>75</sup> 31 Hen. VIII, c. 9; Hoyle, ‘Origins’, 282–3.

<sup>76</sup> Cf. Hoyle, ‘Origins’, 289; Marshall, ‘Anticlericalism Revested’, 379.

<sup>77</sup> Nicholas Orme and Margaret Webster, *The English Hospital, 1070–1570* (New Haven, 1995), ch. 7; Carole Rawcliffe, *Urban Bodies: Communal Health in Late Medieval English Towns and Cities* (Woodbridge, 2013), 316–49. I am grateful to Prof. Rawcliffe for sight of her work ahead of publication.

<sup>78</sup> *English Wycliffite Writings*, ed. Hudson, 26, 136–7.

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<sup>79</sup> *PROME*, ix, 45–6.

<sup>80</sup> 2 Hen. V, st. 1, c. 1.

<sup>81</sup> TNA, E175/11/65. The opening lines are lost; missing text is supplied from the transcript in BL, Add. MS 24459, pp. 157–60.

<sup>82</sup> The journal for this session has not survived: *LJ*, i, 17b.

<sup>83</sup> *LJ*, i, 14b. This bill arrived on the same day as that to prohibit clerical lessees.

<sup>84</sup> Rawcliffe, *Urban Bodies*, 296–9, 349–52; Paul Slack, *From Reformation to Improvement: Public Welfare in Early Modern England* (Oxford, 1999), ch. 1, esp. pp. 14–23.

<sup>85</sup> This tension is the central theme of Benjamin Thompson's work on monasteries: e.g. 'Monasteries, Society and Reform in Late Medieval England', in *The Religious Orders in Pre-Reformation England*, ed. J.G. Clark (Woodbridge, 2002), 165–95.

<sup>86</sup> Joyce Youings, *The Dissolution of the Monasteries* (1971), 168–9.

<sup>87</sup> 37 Hen. VIII, c. 4, s. 6.

<sup>88</sup> *PROME*, ix, 157–9.

<sup>89</sup> R.N. Swanson, *Church and Society in Late Medieval England* (rev. edn, Oxford, 1993), 255–60; M.K. McIntosh, *Poor Relief in England, 1350–1600* (Cambridge, 2012), 89–94.

<sup>90</sup> *LJ*, i, 15a.

<sup>91</sup> *Records of Convocation*, ed. Gerald Bray (20 vols, Woodbridge, 2005–6), xix, 251.

<sup>92</sup> TNA, SP1/12, f. 17v (*LP*, ii/1, no. 1314), printed in *Records of Convocation*, ed. Bray, xix, 136–7.

<sup>93</sup> *Records of Convocation*, ed. Bray, xix, 7–10, 245–80; 8 Hen. VI, c. 1.

<sup>94</sup> *Handbook of British Chronology*, ed. E.B. Fryde *et al.* (3rd edn, 1986), 572–3, 603–4.

<sup>95</sup> BL, Cotton MS Vitellius B II, f. 88 (*LP*, ii/1, no. 1312/6); *LJ*, i, 57b.

<sup>96</sup> *LJ*, i, 3–57 *passim*.

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<sup>97</sup> *The Anglica Historia of Polydore Vergil, A.D. 1485–1537*, ed. Denys Hays (Camden Society, 3rd ser., lxxiv, 1950), 304–9.

<sup>98</sup> For the period after the break with Rome, when the Church's grants received parliamentary ratification, see Patrick Carter, 'Parliament, Convocation and the Granting of Clerical Supply in Early Modern England', *Parliamentary History*, xix (2000), 14–26.

<sup>99</sup> Cavill, *English Parliaments*, 62–4.

<sup>100</sup> Roger Schofield, *Taxation under the Early Tudors, 1485–1547* (Oxford, 2004), 60–1, 109–10.

<sup>101</sup> 14 & 15 Hen. VIII, c. 16, s. 20.

<sup>102</sup> 14 & 15 Hen. VIII, c. 16, ss. 21, 24.

<sup>103</sup> 4 Hen. VII, c. 5; 7 Hen. VII, c. 5; Schofield, *Taxation*, 65–9.

<sup>104</sup> Cavill, *English Parliaments*, 62–3.

<sup>105</sup> P.R.N. Carter, 'The Fiscal Reformation: Clerical Taxation and Opposition in Henrician England', in *Reformations Old and New: Essays on the Socio-Economic Impact of Religious Change, c.1470–1630*, ed. B.A. Kümin (Aldershot, 1996), 92–105.

<sup>106</sup> *Records of Convocation*, ed. Bray, vii, 1–4. This assembly was therefore a provincial council, rather than a convocation.

<sup>107</sup> P.R. Cavill, 'Debate and Dissent in Henry VII's Parliaments', *Parliamentary History*, xxv (2006), 173–5.

<sup>108</sup> *LJ*, i, 4b.

<sup>109</sup> *LJ*, i, 5a, 6b. The rejected bill was handed to the usher of the parliament chamber. Had the Lords expected to proceed, the text would possibly have been handed instead to a common lawyer for revision.

<sup>110</sup> 3 Hen. VII, c. 7; 11 Hen. VII, c. 8.

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<sup>111</sup> Cf. *Chronicles of London*, ed. C.L. Kingsford (Oxford, 1905), 188.

<sup>112</sup> 1 Hen. VII, c. 2. This statute was invoked in the 1529 disendowment petition: Hoyle, ‘Origins’, 302.

<sup>113</sup> TNA, SP1/12, f. 17v (*Records of Convocation*, ed. Bray, xix, 136).

<sup>114</sup> *Reports of Cases by John Caryll*, ed. J.H. Baker (2 vols, Selden Society, cxv–cxvi, 1999–2000), ii, 690.

<sup>115</sup> P.R. Cavill, ‘A Perspective on the Church–State Confrontation of 1515: The Passage of 4 Henry VIII, c. 2’, *Journal of Ecclesiastical History*, lxiii (2012), 655–70.

<sup>116</sup> Scase, *Literature and Complaint*, chs 3–4.

<sup>117</sup> More, *Letter to Bugenhagen*, 417.

<sup>118</sup> More, *Letter to Bugenhagen*, pp. lxv–lxvi.

<sup>119</sup> More, *Letter to Bugenhagen*, 139–41.

<sup>120</sup> 20 Hen. III, c. 9. This decision was held up as a demonstration of the common law’s singularity: Sir John Fortescue, *De Laudibus Legum Anglie*, ed. S.B. Chrimes (Cambridge, 1942), 93–101.

<sup>121</sup> More, *Letter to Bugenhagen*, 141.

<sup>122</sup> *A Proper Dyaloge betwene a Gentillman and an Husbandman*, ed. D.H. Parker (Toronto, 1996), 139–40.

<sup>123</sup> *A Dyaloge betwene one Clemente a Clerke of the Conuocacyon, and one Bernarde a Burges of the Parlyament* (n.d.), sig. A6v. The authorship and date of this work are discussed in Richard Rex, ‘New Additions on Christopher St German: Law, Politics and Propaganda in the 1530s’, *Journal of Ecclesiastical History*, lix (2008), 281–2, 287–91, 299–300.

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<sup>124</sup> *St. German's Doctor and Student*, ed. T.F.T. Plucknett and J.L. Barton (Selden Society, xci, 1974), 315–40; J.A. Guy, *Christopher St German on Chancery and Statute* (Selden Society, suppl. ser., vi, 1985), 127–35.

<sup>125</sup> Christopher Haigh, 'The Clergy and Parish Discipline in England, 1570–1640', in *The Impact of the European Reformation: Princes, Clergy and People*, ed. Bridget Heal and O.P. Grell (Aldershot, 2008), 125.

<sup>126</sup> Haigh, *English Reformations*, 86.